

WEATHER FORECAST.

Fair to-day and to-morrow; little change in temperature; fresh north winds.
Highest temperature yesterday, 58; lowest, 35.
Detailed weather reports will be found on editorial page.

VOL. LXXXVII.—NO. 61—DAILY.

THE NEW YORK HERALD

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NEW YORK, MONDAY, OCTOBER 30, 1922.

ENTERED AS SECOND CLASS MATTER.

POST OFFICE, NEW YORK, N. Y.

PRICE TWO CENTS

IN NEW YORK CITY.

THE BEST IN ITS HISTORY.

The New York Herald, with all that was best of The Sun intertwined with it and the whole revitalized, is a bigger and better and sounder newspaper than ever before.

THREE CENTS

WITHIN THE CITY.

FOUR CENTS ELSEWHERE.

RAILROAD ATTACKS THE LIVING WAGE AS A RUINOUS PRINCIPLE

Declares It Would Wreck Every Road and Spread Communism.

BASIS CALLED FALSE

Family Budget Plan Founded on Figures to Deceive Unthinking.

TRACKMEN GET ADVANCE

Wharton, Labor Member, Disents From Decision as Being Inadequate.

CHICAGO, Oct. 29 (Associated Press).

Attacking the theory of "The Living Wage" as a basis for determining wages of railroad workers, the public and railroad groups of the railway labor board in an opinion made public to-night declared such a course "carried to its legitimate conclusion would wreck every railroad in the United States, and if extended to other industries would carry them into Communist ruin."

The opinion, in the form of a rejoinder to a dissenting opinion filed by A. C. Wharton, labor member, in the recent decision increasing the pay of maintenance of way employees two cents an hour, establishing a minimum wage for common labor, with corresponding differentials for other classes, an increase of 125.7 per cent. in the nation's railroad wage bill would be necessary.

This, the opinion said, would add \$3,122,952,287 to the annual payroll, bringing it up to \$5,589,445,993, which would mean, it added, an annual deficit to the carriers of \$2,416,639,518.

Effect of 48 Cent Minimum. Even if the 48 cent minimum wage requested by maintenance of way men were granted and corresponding differentials were made for other classes of employees, the opinion said, an increase of 50.45 per cent. in wages would be necessary, adding \$1,249,290,994 to the annual wage bill of the roads, bringing it up to \$3,725,844,540, thus forcing the carriers to face an annual deficit of \$2,787,087,125.

The phrase "living wage" was termed the opinion as "a bit of malicious asseveration, well calculated to deceive unthinking."

"If the contentions were that the board should establish a living wage," the opinion said, "and as a matter of fact the board in this instance, as in all others, has granted a living wage. But the abstract, elusive thing called 'the living wage,' conceived in the lawless and unreasonable terms, cannot receive the sanction of this board, because it would be utterly impractical and would not be 'just and reasonable' as the law demands. Wharton's dissenting opinion and the supporting opinion in reply are attached to the formal decision increasing the pay of maintenance of way employees two cents an hour, establishing a minimum ranging from 25 to 37 cents. The United Brotherhood of Maintenance of Way Employees' railway shop laborers, held a strike order affecting 30,000 men in absence last July after the board had reduced wages pending a request for an increase based on the contention that the costs of living had advanced and wages in other industries had been raised.

Refused to Accept Principle.

When the case came up maintenance of way officials asked the board to subscribe to the principle of the "living wage" based on a budget of what was required for an average family of five persons to live in health and reasonable comfort. A majority of the board refused to subscribe to this principle, asserting that the transportation act called for establishing a "just and reasonable" wage and that the board had no authority to establish a living wage. The maintenance of way organization asked the board to establish minimum rates of pay of 48 cents an hour to replace the rates in effect ranging from 25 to 35 cents. After a deadlock of several days the board made public its decision formally handed down to-day increasing rates of pay two cents an hour and adding about \$20,000,000 to the railroad payroll.

The decision asserted that the increase was due mostly to the fact that higher rates of wages were being paid for the same class of work in other industries and that there had been no appreciable increase in the cost of living.

Mr. Wharton in his dissenting opinion maintained that the "fundamental error" of the decision rested on failure to inquire into "the adequacy of rates of pay established for section men and unskilled laborers." He asserted that rates of pay in other industries of similar character should be made a secondary consideration and that the prime factor to be considered was whether the rates fixed were just and reasonable, which he said meant an adequate and living wage under the transportation act.

He maintained that the law of supply and demand, which operated in private industries to fix the price of labor, should not be taken as a basis by the board. The board he contended should find what should be a just and reasonable wage by computing a family budget containing the expenses of the average family.

Mr. Wharton declared that the living wage principle was practical, asserting that added labor costs would be absorbed.

New Government Bond Issue Is \$763,450,900

WASHINGTON, Oct. 29.—Owners of \$253,060,900 in 4% Victory notes and Treasury certificates have exchanged these maturing securities for new issues of the thirty year 4% per cent. Treasury bond issue.

Secretary Mellon announced to-day that the new 4% per cent. bond issue totals \$763,450,900, since cash subscriptions of \$511,390,000 have been accepted.

MILLER IS CONFIDENT OF DEFEATING SMITH

'There Is No Doubt of Result,' Says Governor; 'People Are Thinking.'

ANALYSIS OF SITUATION

His Close Friends Believe Executive Will Have a Plurality of 50,000.

By E. C. HILL.

Special Dispatch to THE NEW YORK HERALD.

New York Herald Bureau, Albany, Oct. 29.

"There is no doubt of the result," said Gov. Miller at the Executive Mansion to-night. "The people are thinking. They will not be caught by false issues or false promises, by promises that can't be kept or that are not intended to be kept. A few of the unthinking may be misled, but the thinking resent such insults to their intelligence. The thinking are going to control."

"Saturday night finished the up-State part of my speaking campaign. I am more than pleased by the increasing evidence of aroused interest in the continuance of good government. We have opposed a record of performance against excuses for non-performance, promises of further performance against a confession of inability to perform unless the constitution is changed, as cannot be done within the next term of the Governor to be elected, and appeals to reason against appeals to prejudice and ignorance. The result is not in doubt."

Reflects His Actual Opinion.

There certainly is no doubt the Governor's actual opinion is reflected in the foregoing brief expression of confidence. It is the reaction he actually finds in his political test tube after three weeks of quantitative and qualitative analysis. No other candidate in the experience of this writer possesses quite the faculty which Miller has for looking at things as they are—or as he believes that they are. No other candidate has been so little influenced by the rosy reports invariably volunteered by local leaders craving their chief's commendation. Such bluff counts for not a feather with Miller.

Miller knows he is in a tight, shrewdly reckons that it may be close and, after weighing all the factors of the contest, calmly figures up a total of victory. He can estimate the chances of victory as well as the arithmetic of partisan contests. Miller belongs to the school of the old masters—George W. Aldridge, Francis Hendricks, John Raines and others that have passed on. He himself may appraise a situation incorrectly, but he is too alert, too experienced, too wise in the game to be fooled by the word.

He believes he will win because he believes that he knows more about what the people are thinking than most of his subordinates in the party organization know. Most of them have the habit of superficial estimate. Miller's mind delves deeper.

Put it this way: In almost every county of the State in a 2,000 mile speaking tour, local leaders have persistently assured the Governor that his subordinates in the party organization would win equal if not exceed the triumphs of Republican plurality of two years ago. The Governor knows that this is rank nonsense and he knows, too, that not a few of these leaders are so full of themselves that they would rather believe in their own predictions of an increased vote for Smith, and heaven knows what disaster.

Amused Contempt Is Effect.

The reaction produced upon a shrewd and experienced mind by this sort of thing is contempt diluted by amusement. He is much more impressed by indications of slack and sullen organization work than he is by the fairy tales of the workers. His estimate of the actual situation is derived from his own observations and the common sense workings of one of the keenest minds that ever entered into politics.

He is coolly certain of success, and.

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CITY VOTE TO DECIDE MILLER-SMITH RACE IN TOSSUP ELECTION

Republicans, Satisfied With Up-State Conditions, Center Drive Here.

SUSPICIOUS OF FRAUD

Managers Doubt That Hyman-Smith Pluralities Were True Index.

COUNT ON INDEPENDENTS

Last Week of Drive Opens With Only Regular Machine Vote Assured.

By LOUIS SEIBOLD.

The fight for the political control of the New York State government, a United States Senator and forty-three members of Congress will be decided by the 1,180,385 citizens who are qualified to vote in the five boroughs of New York city. That both the Republican and Democratic party managers appreciate this fact is clearly established by their plans for contesting every inch of debatable ground in the metropolis. The only feature on which there is a concurrence of partisan views is that all maneuvers, canvasses, straw votes and the like have failed to throw any conclusive light on the state of the municipal mind.

The rival leaders know that 53,163 citizens who voted last year will not avail themselves of their privileges a week from to-morrow. And that is about all they do know. The issue will squarely turn upon the personal fitness and administrative efficiency of Mr. Miller and Mr. Smith.

There is lacking in the Democratic claims the definiteness which distinguishes the assertions of the Republican leaders regarding the trend of popular thought in the rural sections of the State.

Beyond the optimistic opinions and personal preferences of Democratic leaders above The Bronx there is obtainable no concrete or solid information as to conditions in the rural sections of the State to support the claim of Mr. Smith's managers and supporters that his admitted personal popularity has alienated any considerable percentage of the normal Republican advantage.

Suspicious of Fraud.

The Republican managers are obviously satisfied with the conditions prevailing in sections above The Bronx. Otherwise it is not considered logical that they would decide to stage the final scenes in the political drama in the city where the Democrats manifestly enjoy the advantage as established by the previous election. Given Mr. Smith two years ago and Mayor Hylan last year. It is the Republican theory that these majorities did not accurately reflect the exact decisions of citizens who voted in those two events. How they were obtained is a matter of opinion, and the differences in this respect undoubtedly explain the determination of the supporters of Gov. Miller to exercise the utmost diligence in scrutinizing the processes for assembling and tabulating the vote.

This is just another way, of course, of asserting that Tammany Hall "pulled some rough stuff" in the Smith and Hylan contests either by trading votes for individual candidates or in the amiable indulgence of Republican inspectors toward their Democratic associates. How much foundation there is in the reports has not been actually determined. But the fact remains that the managers of the Republican campaign hold the opinion as the result of an analysis of the Smith-Hylan vote that neither was obtained by strict compliance with the law.

The activities of the Republican State and the local organizations in the five boroughs justify no other inference. The fight for the advantage in the city will therefore be vigorously contested as long as there remains ground to justify Republican suspicion that the Democratic managers are determined to secure every possible advantage regardless of the legal or moral considerations.

The Police Idea.

The theory of the police is that the case is a double suicide. They believe that Cohen drowned himself in the bathtub; that his wife pulled his body out and laid it on the floor in the position it was found and that she then drowned herself. This theory, however, is discounted by the statement of the coroner that there are evidences of the woman having been forcibly held under the water. It also is disputed by the fact that no notes were left, nor was there any indication that the couple had any quarrel or any intention to kill themselves.

The autopsy, which will be held this morning, is expected to clear up the mystery. The police last night said they had not been able to gather much information about the families of either Cohen or his wife, whose maiden name was said to be Mrs. Cohen. They were married last month, according to Cohen's mother, and there was nothing, she said, to indicate that the wife was any different from other people's wives.

It is hardly probable, the coroner and the police agree, that Cohen drowned his wife and then killed himself.

Curio Seekers Raze Tree That Shaded Slain Couple

NEW BRUNSWICK, N. J., Oct. 29.—Nothing remains of the crab apple tree, under which, on the morning of September 16 last, were found the slain bodies of the Rev. Edward Wheeler Hall, rector of the Protestant Episcopal Church of St. John the Evangelist, and Mrs. Eleanor L. Hall, a singer in the church choir.

The tree has been carried away piece by piece by the thousands of curio seekers from all parts of the country who have visited the Phillips farm since the double murder. The carving of initials on its gnarled trunk was the first effect of the fane that came to this deserted tree. To-night in place of the crab apple tree there is nothing but a broken stump.

PAIR WED A MONTH DEAD IN BATHROOM

Yonkers Coroner Thinks It a Double Murder, but Police Have Suicide Theory.

Special Dispatch to THE NEW YORK HERALD.

New Brunswick, N. J., Oct. 29.

Notwithstanding that Mrs. Jane Gibson, so-called eyewitness to the murder of the Rev. Edward W. Hall and Mrs. Eleanor Mills, appears more and more to possess the characteristics of an able romancer, Wilbur A. Mott, special Deputy Attorney-General, when he returns here to-morrow will go right ahead preparing to present to the Grand Jury of Somerset county the case he is building up and in which Mrs. Gibson is the central figure.

Mott, in taking this attitude, which is consistent with his statement of the other day that the case is no longer a mystery, though it remains a complex case, sides with Prosecutor Stricker of Middlesex county and differs with Prosecutor Asahel Beekman of Somerset county, who, finally, asked that the Attorney-General's office intervene and take over the case.

One thing Mr. Mott will probably do to-morrow is to call the girl or woman who is known to have been in the neighborhood of De Russy's lane and not far from the farmhouse on the night of the murder and who is believed to have seen some of the things Mrs. Gibson is credited with having described. The identity of this girl is being carefully concealed.

Backs Mrs. Gibson's Tale.

While Mrs. Gibson stands alone so far as the public knows, Mott is in possession of evidence to support her assertions. The evidence is fragmentary and much of it is unsatisfactory. Thus it is that while the authorities know the woman Mrs. Gibson has in mind as one of the parties to the crime, they do not know and cannot find the man with the bushy hair and heavy mustache who is supposed to have done the actual shooting.

Two men, brothers, and related to the woman in the case in the Gibson version, were thought to be implicated when the Gibson story was first told. Now it may be said with authority that both men are out of the case for the time being at least. One has a perfect alibi, the other is thought to be incapable of the crime.

In other words, the Gibson tale at its best is a half told tale, for it does not name the actual murderer of Hall and Mrs. Mills. Mrs. Gibson believes she can identify the woman who was with the murderer, but she cannot identify the murderer.

It was in reference to this story told by the Gibson woman that Stricker and Beekman split, Stricker contending that the tale warranted taking the case at once to the Grand Jury and Beekman holding that the woman is so unreliable the Grand Jury would throw the case out. This was a week ago.

Mott Sides With Stricker.

Now Mott, having examined the woman himself, seems to agree with Stricker, but it will be in Beekman's own county, where he is very popular, that the case will have to be presented. While the grand jurors will be Beekman's neighbors.

In a telephone interview to-day, being withheld from the public, a State trooper in the roadway to about as much as possible. I have already been threatened with a bullet for telling my story, and I don't want any more threats. An effort to buy my silence has also been made. While I fear threats and shrink at these attempts to keep me quiet, I will tell the truth whatever the cost may be to my personal safety. I don't care how powerful the influences are against me."

Then Mrs. Gibson was told that several neighbors had made statements that some of her dealings had been laid open to discussion and comment, and she said: "My life will stand investigation, however hard my detractors try to denounce my story, which Judge Mott has told you entirely creditable. I know that the blood of Judas runs through my veins."

Religion Halts Her Talk.

Mrs. Gibson said she was rather averse to making any statements but finally consented to talk.

"This is the Sabbath, and I am not inclined to discuss the case to-day, for I am a woman of God and of the church. I want to keep out of this as much as possible. I have already been threatened with a bullet for telling my story, and I don't want any more threats. An effort to buy my silence has also been made. While I fear threats and shrink at these attempts to keep me quiet, I will tell the truth whatever the cost may be to my personal safety. I don't care how powerful the influences are against me."

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GOLD WATCH GIVEN TO NEGRO IS SOUGHT AS HALL TIMEPIECE

Man Says Stranger Payned It to Him for \$5, Then Redeemed It.

ALL TRACE OF IT LOST

Mrs. Gibson Defies Mrs. Hall to Deny Charges; Says She'll Tell More.

GIRL TO BOLSTER TALE

Said to Back Some Statements of Killing by Woman Farmer.

Special Dispatch to THE NEW YORK HERALD.

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NATIONALISTS INSIST ITALY'S INEFFICIENT POLITICIANS GO

LONDON, Oct. 30 (Monday).—The Times correspondent at Milan, describing the situation in Italy in a dispatch from Chiasso, Switzerland, where he had gone to escape the censorship, sends this proclamation issued by the Fascists: "Fascisti, Italiani! The hour of decisive battle has struck. Four years ago to-day the national army launched its supreme offensive, which led to victory. To-day the army of black shirts again seizes victory, and pointing in the direction of Rome carries it back to the glories of the capital. From to-day princes and triarii (soldiers of the third rank) are mobilized. Martial law of the Fascismo enters into full execution. Following an order from our leader, the military, political and administrative powers of the party are assumed by a secret quadrumvirate of action with a dictatorial mandate.

"The army, the supreme safeguard of the nation, must not participate in this struggle. The Fascisti renew their highest admiration for the army. Neither do the Fascisti march against the police and guards, but against the political class of weak and deficient men who in four long years know not how to give a government to the nation.

"The bourgeoisie should know that the Fascisti desire to impose on the nation discipline with a single object and to help all forces calculated to increase economic expansion and the welfare of the nation. Laborers and workmen have nothing to fear from the Fascisti power; their just rights will be loyally defended; we will be generous to unarmed opponents and inexorable with others. The Fascisti unsheathed their sword in order to cut the too many Gordian knots which bind and vitiate Italian life.

"God and the spirit of our half million dead are witnesses that only one impulse makes us act, only one thought unites us, only one passion inflames us—that is, to contribute to the salvation and greatness of the country.

"Fascisti of all Italy! We must and will win. Long live Italy and the Fascismo."

KANSAS GOVERNOR ORDERS OUT KLAN

Attorney-General Instructed by Allen to Expel Ku Klux Heads.

DENOUNCED AS CURSE

Fifty Who Leave Theater During Address Are Warned by Executive.

Special Dispatch to THE NEW YORK HERALD.

Topeka, Kan., Oct. 29.—Attorney-General Richard J. Hopkins has received instructions from Gov. Henry J. Allen to drive all officials of the Ku Klux Klan from Kansas. Court action will be taken and Mr. Hopkins will follow the instructions of the Governor at once.

Gov. Allen's move was made known in a speech last night at Coffeyville in which he attacked the Klan and its principles, and added that he had instructed Mr. Hopkins to expel the Klan from the State.

As the Governor was denouncing the Klan as a secret order, operating without first obeying the laws by seeking a charter through the Secretary of State, as other fraternal and social organizations have done, about fifty persons left the theater.

The Governor paused long enough to inform them that if they were members of the Klan they would better be on their way, as the Attorney-General of Kansas was on the lookout for them and soon would be on their trail.

"We confront in Kansas an astonishing development of prejudice, racial and religious," said Gov. Allen. "It is seeking to establish the un-American idea that we can improve the conditions in the State by turning the rights of government to a masked organization which arrogates to itself the right to regulate the individual."

"It has taken the old Ku Klux Klan from its grave. It has set the fire of religious intolerance in the hearts of the people. It has committed many crimes upon the individual, and only recently it has invaded this State, which was built strongly upon respect for law and order, and has given us the shocking exhibition at Liberal, Kan., of taking the Mayor of the town by violence, carrying him to a secluded place and whipping him because he refused to allow this masked society to hold a meeting in his hall."

"It has introduced in Kansas the greatest curse that can come to any civilized people—the curse that arises out of the unrestrained positions of men governed by religious intolerance and racial hatred."

"It breeds chaos and hatred and menace to every law abiding citizen who may fall victim of the private quarrels and animosities of men who hide their identity behind a mask."

"If we deliberately allow this organization to take the law into its own hands then we break down all the safeguards of society."

"If I have directed the Attorney-General to bring an action against the officials of the Klan to expel them from this State."

CHARGE WOMEN USED CHILDREN FOR THEFTS

Detectives Say Mothers Stole as Young Drew Crowd.

Mrs. Isabelle Smith, 26, of 2204 Surf Avenue, Coney Island, exposed her four-year-old boy Lester to hold the attention of the clerks and customers of a department store Saturday afternoon while she stole two coats from a counter, according to testimony against her yesterday in Women's Court.

Store detectives said the youngster gathered a large and admiring audience by his antics playing with a mechanical toy.

Mrs. Margaret Magee, 40, of 2224 Bailey Avenue, The Bronx, was accused of using the same sort of a scheme in another department store by taking along her little daughter Dorothy. Both women were held in \$500 bail for trial.

Love scenes you would like to live in D. W. Griffith's "One Exciting Night." Apollo Theatre—440.

VICTORY OF FASCISTI DISTURBS ALL EUROPE

Other Nations Fear Reaction in Own Countries to Events in Italy.

POSSIBILITIES OF NEW FOREIGN POLICY IN ROME EXCITE APPREHENSION.

Special Cable to THE NEW YORK HERALD.

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New York Herald Bureau, Rome, Oct. 29.

All the chancelleries of Europe are watching anxiously the developments in Italy and are wondering how far Benito Mussolini's unforeseen success may upset political calculations, or even fan into a dangerous flame the smoldering nationalist passions from the North Sea to the Mediterranean.

Italy's spontaneous response to Mussolini's picturesque appeal for a greater Italy with powers reaching far beyond the Adriatic generally is recognized as a grandiose exaltation growing out of Italy being hailed as a great war victor on an equal footing with mightier nations.

Two Fears Expressed.

But between the French policy of keeping hands off what is considered Italy's interior politics, and letting the new extra-parliamentary leader endanger European peace by setting a bad example to the hot headed nationalists of other countries there is a wide difference, and none of the other countries yet know how to approach the situation. The two fears frankly expressed here are:

First, of the effect Mussolini's success will have on Italy's general foreign policy.

Second, of the repercussions the Fascisti victory may have elsewhere by tempting reactionaries to employ Italian methods, even in France, some newspapers pointing out that an anti-Fascist organization might stir up a revolution under the guise of patriotism.

Although Mussolini personally has derided the efforts of other countries to capture Dalmatia, it was meant to indicate that Europe's troubles are ending. The Temps points out that reports are increasing to the effect that another push is being planned in Germany, and says that the Reichswehr could be controlled by the monarchists almost as easily as the Italian army was induced to strike the black shirt